IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 9TH FEBRUARY 2007 / 20TH MAGHA 1928

Bail Appl..No. 767 of 2007()

CRIME NO. 258 OF 2006 OF THIRUVALLAM POLICE STATION

PETITIONERS/ACCUSED 5 & 7

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1. SUMAN, S/O. SHOBI,
NETTARATHALAIKKAL VEEDU,
KEEZHOOR, MUTTAIKKADU DESOM,
THIRUVALLAM, THIRUVANANTHAPURAM.

2. RAJESH, S/O. RAJAN,
RAJI NIVAS, NEAR AGRICULTURAL COLLEGE,
MUTTAIKKADU, KALLIYOOR VILLAGE,
THIRUVANANTHAPURAM.

BY ADV. SRI.G.SUDHEER

RESPONDENTS: RESPONDENT/COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GOERGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No.767 of 2007

DATED: 9th February , 2007

O R D E R

Petitioners who are accused Nos. 5 and 7 in Crime No. 258 of 2006 of Thiruvallam Police Station originally registered under Sections 143, 147, 148, 149, 341, 323 read with Sec. 149 I.P.C. and subsequently registered also for an offence punishable under Sec. 326 I.P.C., seek anticipatory bail.

2. The learned Public Prosecutor opposed the application submitting inter alia that injuries sustained by the injured including dislocation of shoulder.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time I am inclined to permit the petitioners to surrender before the Investigating Officer and then have their regular bail application disposed of by the Magistrate concerned. Accordingly, the petitioners shall surrender before the Investigating Officer on any day between 13-0-2-2007 and 15-02- 2007 for the purpose of custodial interrogation and recovery of incriminating

materials, if any. Thereafter the petitioners shall be produced before the Magistrate having jurisdiction, on the same day, who shall release the petitioners on bail on appropriate conditions.

This petition is disposed of as above.

V.RAMKUMAR, JUDGE

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